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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
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7 JAM CELLARS, INC.,
8 Plaintiff,

9 v.

10 VINTAGE WINE ESTATES, INC.,
11 Defendant.
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Case No. 3:17-cv-01133-CRB

ORDER OF DISMISSAL

13 The parties hereto, by their counsel, having advised the court that they have agreed to a
14 settlement of this cause, **IT IS HEREBY ORDERED** that this cause of action is dismissed
15 **without** prejudice; provided, however that if any party hereto shall certify to this court, within
16 sixty (60) days, with proof of service thereof, that the agreed consideration for said settlement has
17 not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be
18 restored to the calendar to be set for trial.

19 If no certification is filed, after passage of sixty (60) days, the dismissal shall be **with**
20 prejudice.

21 Dated: August 28, 2017

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23 CHARLES R. BREYER
24 United States District Judge
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